

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JOHN CROSS

Petitioner,

VS.

DAVID BERKEBILE, Warden  
FCI-Seagoville

Respondent.

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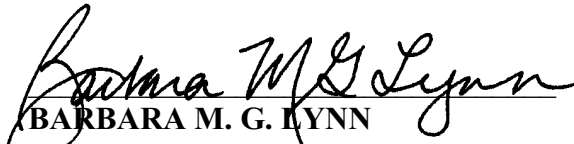
NO. 3-08-CV-1379-M

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION**  
**OF THE UNITED STATES MAGISTRATE JUDGE**

On December 10, 2008, United States Magistrate Judge Jeff Kaplan made Findings and a Recommendation. No objections were filed. The Court thus reviews the Findings and Recommendation for plain error. Finding no plain error, the Court accepts the Findings and Recommendation of the United States Magistrate Judge.

**IT IS THEREFORE ORDERED** that the Findings and Recommendation of the United States Magistrate Judge are accepted.

SIGNED this 21<sup>st</sup> day of January, 2009.

  
BARBARA M. G. LYNN  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF TEXAS